

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

**SIPA LIQUIDATION**

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L.  
Madoff Investment Securities LLC and Bernard L.  
Madoff,

Plaintiff,

v.

BARFIELD NOMINEES LIMITED,

Defendant.

Adv. Pro. No. 12-01669 (CGM)

**STIPULATION AND ORDER TO WAIVE ARGUMENT**

Plaintiff Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities and the estate of Bernard L. Madoff, and defendant,<sup>1</sup> Barfield Nominees Limited (“Barfield” and together with the Trustee, the “Parties”), by and through their respective, undersigned counsel, stipulate as follows:

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<sup>1</sup> On July 22, 2022, the Trustee dismissed defendant Northern Trust Corporation. *See Stipulation and Order to Dismiss Defendant Northern Trust Corporation Without Prejudice* (ECF No. 96).

**WHEREAS**, on April 28, 2022, Barfield filed a motion to dismiss the Trustee's complaint (the “Motion”), ECF No. 88, with a supporting declaration and memorandum of law, ECF Nos. 89–90;

**WHEREAS**, on June 27, 2022, the Trustee filed an opposition to the Motion, ECF No. 93, with a supporting declaration, ECF No. 94;

**WHEREAS**, on August 10, 2022, Barfield filed a reply in further support of its Motion, ECF No. 98, with a supporting declaration, ECF No. 99;

**WHEREAS**, pursuant to a notice of hearing, ECF No. 91, the Court scheduled a hearing to consider the Motion to be held on September 14, 2022, at 10:00 A.M.; and

**WHEREAS**, the Parties have met and conferred and have agreed to rest on their papers and waive oral argument on the Motion.

**IT IS HEREBY STIPULATED AND AGREED**, by the Parties, and **SO ORDERED**, by the Court:

1. The Parties have agreed to rely on the papers submitted in support of and opposition to the Motion.

2. The Court will cancel the oral argument on the Motion scheduled for September 14, 2022, at 10:00 A.M.

3. The Parties otherwise reserve all rights, arguments, objections, and defenses they may have, and entry into this Stipulation shall not impair or otherwise affect any such rights, arguments, objections, and defenses.

*[Signature Page Follows]*

Dated: August 25, 2022  
New York, New York

**YOUNG CONAWAY STARGATT &  
TAYLOR, LLP**

By: /s/ Matthew B. Lunn  
Rockefeller Center  
1270 Avenue of the Americas, Suite 2210  
New York, New York 10020  
Telephone: (212) 332-8840  
Facsimile: (212) 332-8855  
Matthew B. Lunn  
Email: [mlunn@ycst.com](mailto:mlunn@ycst.com)  
Justin P. Duda  
Email: [jduda@ycst.com](mailto:jduda@ycst.com)  
Roxanne M. Eastes  
Email: [reastes@ycst.com](mailto:reastes@ycst.com)

*Attorneys for Plaintiff Irving H. Picard,  
Trustee for the Substantively Consolidated  
SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Estate of  
Bernard L. Madoff*

**KATTEN MUCHIN ROSENMAN LLP**

By: /s/ Mark T. Ciani  
50 Rockefeller Plaza  
New York, New York 10020  
Telephone: (212) 940-8800  
Facsimile: (212) 940-8776  
Mark T. Ciani  
[mark.ciani@katten.com](mailto:mark.ciani@katten.com)  
Anthony L. Paccione  
[anthony.paccione@katten.com](mailto:anthony.paccione@katten.com)

*Attorneys for Defendant Barfield Nominees  
Limited*

**Dated: August 25, 2022  
Poughkeepsie, New York**

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**/s/ Cecelia G. Morris**

**Hon. Cecelia G. Morris  
U.S. Bankruptcy Judge**